




WT Docket No. 01-32

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

memorandum

TO: Director, Reference Information Center
Chief, Wireless Telecommunications Bureau

FROM:  Daniel M. Armstrong
Associate General Counsel

SUBJECT: *Ranger Cellular, et al. v. FCC*, No. 03-831. Filing of a Petition for a Writ of Certiorari in the Supreme Court of the United States.

DATE: January 14, 2004

This is to advise you that on December 10, 2003, Ranger and Miller filed a Petition for a Writ of Certiorari, asking the Supreme Court to review the decision by the Court of Appeals for the District of Columbia Circuit (333 F.3d 255). In its decision, that court upheld the FCC's determination that auctions for cellular licenses for which old lottery applications remained pending were not subject to Section 309(l) of the Communications Act, and that neither the Act nor the Commission's prior precedents required such auctions to be restricted to existing applicants.

The Court has docketed this case as No. 03-831. The attorney assigned to handle the litigation of this case is Stanley R. Scheiner.